EMPLOYERS' GUIDE

YUKON WORKERS' COMPENSATION HEALTH AND SAFETY BOARD

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WORKERS' COMPENSATION

In Canada, workers' compensation coverage is compulsory for most industries. Every employer in the Yukon is required by law to register with us within 10 days of hiring workers.

Workers' compensation is an employer-funded insurance system in which coverage for workers is compulsory. For nearly a century, it has protected Canadian workers and employers against the result of workplace injuries and illnesses.

Under workers' compensation legislation, workers give up their right to civil action against employers and co-workers in return for guaranteed compensation. This arrangement protects both workers and employers. Employers are protected because workers who suffer a work-related disability cannot sue employers for damages. Workers are protected because they are guaranteed compensation if they get a work-related injury or illness—including lost wages, payment of related health care costs, and assistance in returning to work.

The only claims that are subject to civil action are motor vehicle accidents where there is vehicle insurance. In such cases, the Yukon Workers' Compensation Health and Safety Board can sue, on behalf of the injured worker, another organization's employer or co-worker. The injured worker's own employer or co-workers cannot be sued.

An *employer* is any person, firm, association, organization or corporation having one or more workers. Workers include full-time, part-time, seasonal and contract employees. Directors of corporations are also considered to be workers and must have workers' compensation coverage, unless they do not perform any direct service to the corporation. They need to sign an exemption application form in order to qualify for an exemption.

If you are a proprietor, you have the option of purchasing workers' compensation coverage for yourself. Workers' compensation coverage is a very affordable alternative to private accident insurance.

CALL your employer services officer to:

- register a new business
- register a business from another jurisdiction that is working in the Yukon
- ask about sole proprietors' optional coverage
- sign an exemption application for a director of a corporation

ASSESSMENT PREMIUMS

Assessments are the premiums employers pay for workers' compensation coverage. Employers' premiums are calculated using payroll amounts and subcontractor information, together with the rate of assessment premium that has been established for their industry. Employers alone are responsible for paying assessment premiums. It is illegal to recover any compensation costs from workers.

When you register with us, an employer services officer will assign your business to an industry group and to a rate group within that industry. You will be placed in a category along with similar businesses that have comparable hazard or injury experience records. If you believe that you have been placed in the wrong industry, you have the right to file an appeal (See *Appeals*, page 5). Assessment premiums for each industry are set annually by the Yukon Workers' Compensation Health and Safety Board's actuaries.

PAYROLL AND SUBCONTRACTOR REPORTING

As an employer, you can opt for either yearly or monthly reporting of payroll amounts and subcontractor information. This information is then used to calculate your assessment premiums. Remember that if your subcontractors don't have workers' compensation coverage, you are responsible for paying for their coverage. You can find out if your subcontractors have coverage by asking us for a letter of good standing on their business. Assessment premiums may be paid by cash, cheque, Visa, Mastercard or Interac.

YEARLY REPORTING

If you opt for yearly reporting, you will receive an employer's payroll return and contract labour report (EPR) in the mail in January. In order to fill out the EPR, you will need to calculate your assessable payroll from the previous year and then estimate next year's assessable payroll. You will also need to report any subcontractor information. Make sure you return your EPR by the last day in February so you do not get charged a late-filing penalty. If you would like help filling in your EPR, attend one of our EPR Clinics or call your employer services officer. You may wish to pay your assessments by automatic withdrawal on your Visa or Mastercard account. Either monthly or quarterly installments can be arranged.

MONTHLY REPORTING

If you opt for monthly reporting, you will fill out an actual payroll return and contract labour report (APR) at the end of every month—at the same time that you fill out your Revenue Canada Statement of Account for Current Source Deductions. In fact, the information from this form is transferable to the APR.

If your organization employs casual or seasonal workers, monthly reporting is more practical. Instead of having to estimate labour costs in advance, you can use the real costs for that month. Monthly reporting also gives you closer control over cash flow. Your assessments will be based on your real labour costs rather than on yearly estimates.

CALL your employer services officer to:

- find out what your assessment premium is
- arrange for yearly or monthly assessment reporting
- pay your assessments by automatic withdrawal on your Visa or Mastercard
- get help filling out your EPR or APR
- get a definition of a subcontractor

Assessment premiums are set by looking at the claims cost of your entire industry group. Our actuaries calculate assessments so they cover the current and estimated future costs of injuries in your specific industry. This means that if a worker is injured on your job site, your premiums will not automatically rise. Only if the claims costs of your entire industry group go up will you see an increase. Employers can keep the assessment premiums of their industry low by preventing workplace injuries and illnesses.

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DISABILITY AND RETURN-TO-WORK

Employers can help a worker recover from a disability by supporting a modified return-to-work. The sooner a worker returns to work and activity, the faster they recover from a disability.

ACCIDENT OR INJURY REPORTING

Employers should make sure that their workers know they are covered by workers' compensation and they know what to do if they are hurt at work. Tell your employees that work injuries should be treated and reported to a supervisor right away—no matter how minor they are. This way you will have a better idea of when and how injuries are happening—and you can prevent them.

Be sure to post one of our *Notice to Workers* posters in a prominent location where your employees will read it. It outlines the procedures for dealing with a workplace injury. As an employer, you are responsible for ensuring that first aid requirements are met at your workplace.

When one of your workers files a claim for compensation, you are legally required to submit an *Employer's Report of Injury/Illness* to us within three days of receiving notice of your worker's injury.

CALL your adjudicator to ensure that you have filled out the appropriate forms when one of your workers gets injured on the job.

CALL your safety officer to find out what the first aid requirements are for your workplace.

REPORTING SERIOUS ACCIDENTS AND SERIOUS INJURIES

Employers and supervisors are required by law to immediately report any serious accidents or serious injuries to our 24-hour reporting line at (867) 667-5450. A serious accident may not have caused an injury. Refer to our *Notice to Employers/Supervisors* poster for a definition of a serious accident or serious injury.

CALL our 24-hour reporting line at (867) 667-5450 to report a serious accident or serious injury.

CALL our reception desk at (867) 667-5645 or 1-800-661-0443 to get a copy of our *Notice to Employers/Supervisors* and *Notice to Workers* posters.

RETURN-TO-WORK

Employers play an important role in returning workers to productivity and health. If one of your employees suffers a work-related injury or illness, contact us to find out what you can do to help your worker recover. Research shows that returning a worker to employment speeds their recovery and increases their feelings of well-being. Employers benefit through improved workplace morale, increased productivity and the retention of skilled workers.

When a worker has achieved a certain level of recovery, our rehabilitation counsellors work with you, your worker and your worker's doctor to plan a return to work. As an employer, you should be sensitive to the abilities of your worker. They may not be immediately able to perform all of the duties of their pre-injury job.

Depending on their disability, some workers may be unable to return to their pre-injury job. If this is the case, a rehabilitation counsellor will work with you and the worker to arrange for a return to another form of work in your organization. We may also help re-train your worker.

CALL your rehabilitation counsellor to:

- arrange for a disabled worker's return-to-work
- find out what modifications you can make at your work site to facilitate a worker's full recovery

PREVENTING WORKPLACE INJURIES AND DISEASES

We offer a wide variety of prevention services to employers, including safety and first aid courses, videos, hazard bulletins, crew talks and information materials.

SAFETY TRAINING AND EDUCATION

The Yukon Workers' Compensation Health and Safety Board offers Yukon employers a wide variety of training and education resources. We instruct 30 different courses on workplace safety, as well as technical courses for specific workplaces. These courses range from asbestos work to chain-saw safety, and from back injury prevention to workshop safety. We can also develop courses specific to your workplace and can arrange for your workers to receive first aid training.

Employers may access a variety of educational materials, including a library of over 200 instructional videos that can be borrowed, at no charge, for up to two weeks; bulletins that highlight serious hazards and the precautions that must be taken to avoid injury; and publications that help businesses build safety programs and cultures.

CALL your safety education consultant to:

- receive a free, on-site safety consultation
- develop a program for keeping your workers safe on the job
- get help identifying your business safety training and program needs
- find out what videos, crew talks, bulletins or other materials we have available for your industry

SAFETY INSPECTIONS AND ADVICE

Every Yukon employer must ensure that the Yukon *Occupational Health and Safety Act* and regulations are being followed. When requested, our safety officers provide employers with free consultations on the *Occupational Health and Safety Act* and regulations. Our safety officers are mandated to inspect Yukon workplaces and write orders on safe working procedures. They may also apply administrative penalties to any employer or worker who is not in compliance with the safety regulations.

Both employers and workers have the right to appeal a decision of a safety officer if they feel they have been wrongly charged (see *Appeals*, page 5).

CALL your safety officer to:

- get help understanding the *Occupational Health and Safety Act* and regulations
- ask for a free, on-site safety consultation

your service team provides you with full access to all of our client services and, if requested, on-site visits

SERVICE TEAMS

Every Yukon business, and its employees, has been assigned to one of three service teams at the Yukon Workers' Compensation Health and Safety Board (YWCHSB). Each service team includes a safety education consultant, a safety officer, an employer services officer, a policy representative, an adjudicator and a rehabilitation counsellor. Your service team can answer questions on workplace safety, accident prevention, workers' claims or assessments.

WEBSITE

You can access employer information, as well as all current legislation and policies, on our website at **www.wcb.yk.ca**. Our website also contains electronic copies of our annual report, newsletters, media releases and other publications. Check out the "What's New" page to keep current with events at the YWCHSB.

APPEALS

Employers have the right to appeal:

- assessment decisions such as assignment to an industry or assessment premiums
- occupational health and safety orders and penalties
- any decision concerning a claim for compensation

If you are interested in knowing more about appeals, call our reception desk at (867) 667-5645 or 1-800-661-0443.

Every employer in the Yukon has been assigned to a service team at the YWCHSB. Your service team provides you with full access to all client services. Call our reception desk at (867) 667-5645 or 1-800-661-0443 to find the team that provides service to you.

YUKON WORKERS' COMPENSATION HEALTH AND SAFETY BOARD

COMMISSION DE LA SANTÉ ET DE LA SÉCURITÉ AU TRAVAIL DU YUKON